



State of Utah

Department of Natural Resources

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Executive Director

Division of Oil, Gas & Mining

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

GAYLE F. McKEACHNIE
Lieutenant Governor

May 25, 2004

Mr. Keith MacKay
State Stone
4640 South 300 West
Murray, Utah 84107

Subject: Results of Conference, State Stone Stone, Unpermitted Quarries,
M/055/021, Wayne County, Utah

Dear Mr. MacKay:

Thank you for coming to our office on May 18, 2004, to discuss the Notice of Noncompliance issued March 4, 2004, and subsequently modified on April 20, 2004. Present at the meeting were you and Dennis MacKay representing State Stone, and Paul Baker, Wayne Hedberg and myself, representing the Division of Oil, Gas and Mining. This letter summarizes some of the items we discussed and conclusions reached.

Issue #1

You plan to reclaim portions of both quarries, but at the quarry on the Jensen property (the "west" quarry), you are not certain whether the land owner will continue to allow mining. You would like to reclaim this to an area of about 0.5 acres. At the quarry on BLM land (the "east" quarry), you would like to consolidate some of the stone to part of the area and reclaim the rest. Basic grading of both sites could be completed soon, but seeding would not be done until the fall.

Conclusions and Order

By May 24, 2004, you will try to contact the Jensen family and determine their desires for the future of the west quarry area. (There might be some delay if the Jensens are not available.) You will then telephone Paul Baker of the Division staff and let him know what you and the Jensens have decided.

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Within one more week, or by June 1, 2004, you will provide the Division with a written proposed schedule for reclamation of the two sites. This schedule will include major steps in reclamation and the dates by which these will be done. The Division will review this schedule and approve it or require modifications.

Issue #2

The Notice of Noncompliance requires that you not quarry any stone or remove stone from either site. At the BLM site, you would like to move stone from the areas to be reclaimed to those areas that will be retained.

Conclusions and Order

Consolidating the stone at the BLM site can be considered a form of reclamation, and you may perform this and other reclamation work at these sites. Once we have received your reclamation schedule, by June 1, 2004, we anticipate lifting the "stop mining" order which will allow you to remove stone from the site.

Issue #3

You requested that the two quarries be permitted separately because they have different land ownership (private vs. BLM).

Conclusions and Order

The Division's decision whether to require one or two different notices of intention for these sites is discretionary. We will allow submittal of two separate Notices of Intention to Commence Small Mining Operations. A schedule for submitting these notices and associated reclamation bonds will be established once we have your reclamation schedule.

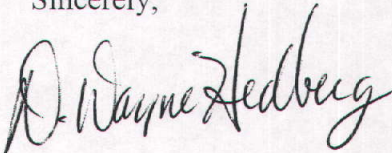
These sites are not in compliance with the Utah Mined Land Reclamation Act, and it is important for you to take the steps as outlined in this letter to bring them into compliance. We appreciate your cooperation.

If you have questions or concerns about this letter, please call me at (801) 538-5306, Wayne Hedberg at (801) 538-5286, or Paul Baker at

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(801) 538-5261. Thank you for your cooperation and immediate attention to these permitting requirements.

Sincerely,


for Mary Ann Wright
Associate Director of Mining

MAW:PBB:jb

cc: Buzz Rakow, Hanksville - BLM

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